

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)	
)	
of the Educator Certificate of)	ORDER OF
)	
Bradford D. Gulley)	PERMANENT REVOCATION
)	
Certificate # 144996)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on June 9, 2004. On October 13, 2003, the State Department of Education (Department) sent a notice to Mr. Bradford D. Gulley of his right to a hearing regarding the possible suspension or revocation of his South Carolina educator certificate (certificate) number 144996. The letter was personally delivered to Mr. Gulley on October 21, 2003, as evidenced by a signed affidavit. Mr. Gulley requested a hearing, which was held on April 22, 2004, before John J. Fantry, Jr., Esquire, a hearing officer duly appointed by the State Board. Mr. Fantry recommended that the State Board permanently revoke Mr. Gulley's certificate. After careful consideration of the hearing officer's report, the State Board voted to permanently revoke Mr. Gulley's certificate

FINDINGS OF FACT

Mr. Gulley is an educator with over fourteen years of experience. He is no longer teaching in South Carolina but taught in North Carolina for the last two years. On June 7, 2002, a black bag was discovered in the ceiling of the commons area in the gymnasium of the Belton-Honea Path High School, in Anderson County School District Two (Anderson Two). The bag contained various articles of women's clothing, including underwear and cheerleader's uniforms, wigs, videotape, and two photographs of young girls. The tape was viewed by school officials to determine to whom the bag might belong. Because of the contents of the tape and the pictures of two young girls, the bag was turned over to the Anderson County Sheriff's Office. After

conducting an investigation, the Sheriff's Department concluded no criminal activity took place and closed the case.

The videotape shows Mr. Gulley dressed in a wedding gown, gloves, panty hose, crinoline underskirts and a black wig. Mr. Gulley is continually stating that he is making this video for "Felicia, you sexy dirty little cheerleader." On the tape, Mr. Gulley engages in several sexually oriented activities. The film does not appear to have been shot at a school. We agree with the hearing officer that the videotape "conflicts with generally acceptable moral behavior and is demeaning to those in the teaching profession. It does not convey the proper image of how an educator should interact with a community or its children."

Anderson Two officials found no evidence that Mr. Gulley behaved at school in a manner that would endanger students, but suggested to Mr. Gulley that he could no longer be effective in the community if the contents of the bag were made known. Mr. Gulley then resigned for personal reasons.

Approximately a year later, the Department received a copy of this videotape from the Sheriff's office, and began an investigation into the matter. That investigation culminated in the hearing held on April 22, 2004.

Mr. Gulley stated that he had received counseling in the past for sexual identification problems, but offered no proof of the counseling or that he was cured. He claimed the tape was made over fifteen years ago and he was a different person now. He offered no proof regarding the age of the tape. He offered no proof regarding how the bag got into the school, claiming only that a student stole the bag from his wife's car. The hearing officer found that Mr. Gulley did not provide sufficient evidence to "extinguish the Department's legitimate fear of placing Mr. Gulley in close contact with children."

CONCLUSIONS OF LAW

“The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person.” S.C. Code Ann. § 59-25-150 (2004). Just cause includes: “(4) Unprofessional conduct;...(8) Immorality;...(9) Any conduct involving moral turpitude....” S.C. Code Ann. § 59-25-160 (2004). The State Board finds that there is substantial evidence in the report of the hearing officer to support its decision to permanently revoke Mr. Gulley’s educator certificate number 144996, effective June 9, 2004.

South Carolina State Board of Education

By: /S/ Mary E. Jones_____

Mary E. Jones

Chair

Columbia, South Carolina

June 9, 2004